

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**LAMONTE R YOUNG, SR.,**

Plaintiff,

v.

**PROGRESSIVE TREATMENT  
SOLUTIONS, LLC,**

Defendant.

**Case No. 22-cv-229-JPG**

CJRA Track: B

Mandatory Meditation: Yes

Final Pretrial Conf: 5/3/2023

Bench Trial: 5/15/2023

Judge J. Phil Gilbert

**DEFENDANT’S MOTION FOR SUMMARY JUDGMENT**

Defendant Progressive Treatment Solutions, LLC (“Defendant” or “PTS”), by and through its attorneys, Littler Mendelson, P.C., hereby moves for summary judgment, pursuant to Federal Rule of Civil Procedure 56 and Local Rule 7.1. In support of its Motion, Defendant states as follows:

In his Complaint, Plaintiff LaMonte R. Young, Sr. (“Plaintiff”) alleges that PTS discriminated against him based on his race and retaliated against him in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 1981, and the Illinois Human Rights Act. Additionally, Plaintiff alleges that PTS violated the Illinois Biometric Privacy Act, 740 ILCS 14/15(b) and (c).

This Court should grant PTS summary judgment in its entirety because Plaintiff has no evidence whatsoever to support his claims. More specifically, with respect to his race discrimination claim, PTS terminated Plaintiff’s employment for legitimate, non-discriminatory reasons – smoking marijuana in a Company vehicle – all in direct violation of Company policy. Similarly, Plaintiff has no evidence to support his claim that he was retaliated against by PTS

because he never engaged in any protected activity. Lastly, Plaintiff's claims that PTS violated the Illinois Biometric Privacy Act fail because Plaintiff provided his written consent for the use of his biometric identifiers and never objected to or withdrew his consent.

The undisputed facts, arguments, and authorities in support of this Motion are set forth in Defendant's Memorandum of Law and Statement of Facts in Support of its Motion for Summary Judgment, which are being filed contemporaneously and incorporated herein by reference.

WHEREFORE, Defendant Progressive Treatment Solutions, LLC respectfully requests that the Court grant it summary judgment in its entirety, dismiss Plaintiff's Complaint with prejudice, and grant other such relief as deemed appropriate by the Court.

Dated: January 20, 2023

Respectfully submitted,

/s/ Michael Wilder  
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**CERTIFICATE OF SERVICE**

I, Michael A. Wilder, an attorney, hereby certify that on January 20, 2023, I caused a true and correct copy of the foregoing document to be filed electronically with the Clerk of the Court, using the Court's CM/ECF system, and served via Fedex mail to:

LaMonte R Young, Sr.  
219 St. John Drive  
Cahokia, Illinois 62206

/s/ Michael A. Wilder  
Michael A. Wilder